

1  
2  
3  
4 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
5 **OF THE STATE OF WASHINGTON**

6 IN RE COMPLIANCE  
7 WITH RCW 42.17

PDC CASE NO.: 02-270

8 AD HOC MERCHANTS COMMITTEE  
9 DOUG SCHURMAN, TREASURER

**FINDINGS OF FACT  
AND FINAL ORDER**

10 Respondent.  
\_\_\_\_\_

11 **INTRODUCTION**

12 A review of a brief enforcement hearing held October 2, 2002 was conducted before  
13 the Public Disclosure Commission on December 4, 2002. The review was to determine  
14 whether the Respondent violated RCW 42.17.040 by failing to timely file a Political  
15 Committee Registration, PDC Form C-1pc, and RCW 42.17.080 by failing to make the  
16 committee's campaign records available for public inspection during the eight days prior to  
17 the 2001 general election. The review was held pursuant to chapters 34.05 and 42.17 RCW  
18 and chapter 390-37 WAC. The review was held at the Doubletree Guest Suites Seattle,  
19 16500 Southcenter Parkway in Seattle, Washington. Philip E. Stutzman, Director of  
20 Compliance, represented the Commission staff. The Respondent, Ad Hoc Merchants  
21 Committee and Doug Schurman, Treasurer, appeared in writing.  
22  
23

24 The Staff presented, for the Commission's consideration during the hearing, the  
25 order from the brief enforcement hearing and Mr. Schurman's letter requesting a review of  
26 the initial order. After due consideration of the initial order entered from the brief

1 enforcement hearing, the letter from the Respondent, and oral argument from staff, the  
2 Commission made the following

3 **FINDINGS OF FACT**  
4

5 1. A brief enforcement hearing was held October 2, 2002. The Respondent was found to  
6 have violated RCW 42.17.040 by failing to timely file a Political Committee  
7 Registration (PDC form C-1pc) and RCW 42.17.080 by failing to allow for public  
8 inspection of the committee's campaign records during the eight days before the 2001  
9 general election.  
10

11 2. In an order entered October 11, 2002, the Respondent was assessed a civil penalty of  
12 \$250.

13 3. The Respondent, Ad Hoc Merchants Committee, Doug Schurman, Treasurer, is  
14 comprised of eleven Clarkston, Washington business owners who each contributed  
15 \$100 to pay *The Clarkston Gazette* for political advertising opposing a City of  
16 Clarkston November 2001 sales tax levy.  
17

18 4. Mr. Schurman stated that he was not the chairman or secretary for any group or  
19 committee and that he filed the C-1pc for the group because he believed that it would  
20 alleviate any problems of *The Clarkston Gazette* resulting from the committee's  
21 advertising.  
22

23 **ORDER**

24 Based on the record submitted in this matter, the Commission orders as follows:

25 1. The Respondent violated RCW 42.17.040 by failing to timely file a Political Committee  
26 Registration (PDC form C-1pc).

1 2. The Respondent violated RCW 42.17.080 by failing to allow for public inspection of  
2 the committee's campaign records during the eight days before the 2001 general  
3 election.

4 3. A total civil penalty of \$250 is assessed against the Respondent. The entire \$250 is  
5 suspended on the condition that the Ad Hoc Merchants Committee and Doug  
6 Schurman, Treasurer, commit no further violations of RCW 42.17 for a period of four  
7 years from the date of the initial order.  
8

### 9 **RECONSIDERATION**

10 Any party may ask the Commission to reconsider this final order. Parties must  
11 place their requests for reconsideration in writing, include the specific grounds or reasons  
12 for the request, and deliver the request to the Public Disclosure Commission Office within  
13 TEN (10) days of the date that the Commission serves this order upon the party. Pursuant  
14 to RCW 34.05.470(3), the Public Disclosure Commission is deemed to have denied the  
15 petition for reconsideration if, within twenty (20) days from the date the petition is filed, the  
16 Commission does not either dispose of the petition or serve the parties with written notice  
17 specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470(5), the  
18 Respondent is not required to ask the Public Disclosure Commission to reconsider the final  
19 order before seeking judicial review by a superior court.  
20  
21

### 22 **APPEAL RIGHTS**

23 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure  
24 Commission is subject to judicial review under the Administrative Procedures Act, chapter  
25 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed  
26 with the superior court in Thurston County or the petitioner's county of residence or

1 principal place of business. The petition for judicial review must be served on the Public  
2 Disclosure Commission and any other parties within 30 days of the date that the Public  
3 Disclosure Commission serves this final order on the parties.  
4

5 If reconsideration is properly sought, the petition for judicial review must be served  
6 on the Public Disclosure Commission and any other parties within thirty (30) days after the  
7 Commission acts on the petition for reconsideration. The Commission will seek to enforce  
8 this final order in superior court under RCW 42.17.395-397, and recover legal costs and  
9 attorney's fees, if the penalty remains unpaid and no petition for judicial review has been  
10 filed under chapter 34.05 RCW. This action will be taken without further order by the  
11 Commission.  
12

13 DATED THIS 17<sup>th</sup> day of December, 2002.

14 FOR THE COMMISSION:

15 /s/

16 \_\_\_\_\_

17 VICKI RIPPIE, Executive Director  
18  
19  
20  
21  
22  
23  
24  
25  
26